

REMARKS

In response to the final Office Action of February 1, 2007, Applicant asks that all pending claims presently under consideration be allowed in view of the following remarks. Claims 39-57 are pending and claims 39 and 40 were previously withdrawn by the Examiner. Of the pending claims, claims 41-57 are presently under consideration, with claims 41, 49, and 57 being independent.

Claim 57 was rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. In particular, claim 57 is said to recite "software per se" because claim 57 includes limitations of "System for performing a search of network accessible contents" and "means for," which are said to not include "physical structure of the machine in terms of its hardware or hardware and software combination." See final Office Action of February 1, 2007 at page 3. Applicant respectfully disagrees.

Features of claim 57 recite the phrase "means for" in combination with a specific function. Therefore, the features properly invoke interpretation under 35 U.S.C. § 112, sixth paragraph. See M.P.E.P. § 2181. Under 35 U.S.C. § 112, sixth paragraph, claim limitations expressed in means-plus-function language "shall be construed to cover the corresponding structure . . . described in the specification and equivalents thereof." 35 U.S.C. § 112, sixth paragraph; M.P.E.P. § 2181. Therefore, because claim 57 is properly interpreted as covering the corresponding *structure*, it does not recite "software per se" as asserted by the office action. Accordingly, the rejection under 35 U.S.C. § 101 should be withdrawn.

Claims 41-57 were rejected under 35 U.S.C. § 102(e) as being anticipated by Dunworth (U.S. Patent No. 5,930,474). Applicant respectfully requests reconsideration and withdrawal of this rejection because Dunworth fails to describe or suggest the subject matter of the independent claims, as discussed more fully below.

Independent claim 41 recites a method for performing a search of network accessible content. The method includes traversing a network of web documents to identify business names and geographic data associated with the web documents. The method also includes identifying a business name and geographic data associated with a particular web page, determining web page identifying data for the particular web page, and extracting the identified business name and geographic data associated with the particular web page. Based on the extracted business name

and geographic data, a business directory is accessed to determine a business category code that is associated with the extracted business name and geographic data, and the web page identifying data and the business category code are stored in association with one another and within an entry in an electronic data store. The method further includes receiving, from a user, a query that is related to a business category, identifying, within the electronic data store, one or more entries that include a business category code that is associated with the business category of the query, and returning, to the user, a result that includes web page identifying data included in the identified one or more entries.

Applicant requests reconsideration and withdrawal of the rejection of claim 41 because Dunworth fails to describe or suggest at least extracting a business name and geographic data identified as being associated with a particular web page, in the manner recited in independent claim 41.

Specifically, the final Office Action appears to assert that geography database 210 and yellow pages list description ("YPLD") configuration database 328 shown in Fig. 3 are "created from internet searching" and that the databases 210 and 328 being created from internet searching describes extracting a business name and geographic data identified as being associated with a particular web page. See final Office Action of February 1, 2007 at page 4. Applicant respectfully disagrees.

In particular, even assuming, for the sake of argument, that creating a database from internet searching involves extracting information from a webpage, Dunworth still fails to anticipate claim 41 because, contrary to the Office Action's assertion, Dunworth does not describe that geography database 210 and YPLD configuration database 328 are "created from internet searching." The Office Action appears to cite Dunworth at col. 10, line 41 through col. 12, line 67 in support of this assertion. See final Office Action of February 1, 2007 at page 4. This portion of Dunworth, however, does not describe how geography database 210 and YPLD configuration database 328 are created, much less that geography database 210 and YPLD configuration database 328 are created from internet searching. Rather, this portion of Dunworth is directed to performing a search using databases 210 and 328 and presupposes existence of databases 210 and 328 for use in performing a search. Thus, nothing in this portion of Dunworth, or any other portion of Dunworth, describes or suggests that geography database 210

and YPLD configuration database 328 are created from internet searching, much less extracting a business name and geographic data identified as being associated with a particular web page, as recited in independent claim 41.

For at least these reasons, Applicant respectfully requests reconsideration and withdrawal of the rejection of independent claim 41, along with claims 42-48 that depend therefrom.

Independent claim 49 recites a computer program for performing a search of network accessible content in a manner corresponding to that of independent claim 41, and independent claim 57 recites a system that does the same. Accordingly, for the reasons noted above with respect to independent claim 41, Applicant requests reconsideration and withdrawal of the rejection of independent claims 49 and 57, along with claims 50-56 that depend therefrom.

Applicant submits that all claims are in condition for allowance and requests allowance.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue, or comment, including the Office Action's characterizations of the art, does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment or cancellation of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment or cancellation. Applicant reserves the right to prosecute the rejected claims in further prosecution of this or related applications.


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No fee is believed to be due. Please apply any charges or credits to deposit
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Respectfully submitted,

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